Jc885 U.S. PTO
10/90/90

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING
(RULE 53(b)(1))

00909
Jc979 U.S. PTO
09/874040
06/06/01

FOR DESIGN OR UTILITY APPLICATIONS
(DO NOT USE FOR CIPs)

Rule 53(b)(1) PATENT APPLICATION:

☒ Continuation)
) application under 37 CFR 1.53(b)(1)
☐ Divisional)
of pending prior application of

Group Art Unit: 1632

Inventor(s): James ROBL et al.

Examiner: Jill D. Martin

Parent Appln. No.:	08	699,040	Atty. Dkt.	P 280633	23523-0008
	Series Code ⇧	Serial No. ⇧		New M#	Client Ref

Parent Filed: August 19, 1996
This Appln. Filed: June 6, 2001

Title: EMBRYONIC OR STEM-LIKE CELL LINES PRODUCED BY CROSS SPECIES NUCLEAR TRANSPLANTATION

Hon. Commissioner of Patents
Washington, DC 20231

Date: June 6, 2001
(Parent Matter No. 275947)

Sir:

To effect the above-requested filing today:

1. **Attached** is a copy **(which must be filed)** of the prior application, including:

☒ Abstract
☒ Specification and claims (37 pages) **(must be attached)**
☒ Drawings **(must be attached if originally filed):** 3 sheet(s)/set: ☐ 1 set informal; ☒ Formal of size ☒ A4 ☐ 11"

1A. Always X one box, only:
(1) ☒ Copy of Signed declaration or oath as originally filed in prior application attached
(2) ☐ NO declaration or fee is enclosed; therefore, this is a filing under Rule 53(f).

2. ☐ This application is hereby filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this application (DELETE THE FOLLOWING INVENTOR(S)):

1. _____ 2. _____
3. _____ 4. _____
5. _____ 6. _____
7. _____ 8. _____

2.5 THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

1. ROBL, James 2. CIBELLI, Jose
3. STICE, Steven L. 4. _____
5. _____ 6. _____
7. _____ 8. _____

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

4. ☐ Priority is claimed under 35 U.S.C. 119/365 based on filing in _____ of (country)

	Application No.	Filing Date		Application No.	Filing Date
(1)			(2)		
(3)			(4)		
(5)			(6)		

a. ☐ _____ (No.) Certified copy/copies attached.
b. ☐ Certified copy/copies previously filed on _____ in U.S. Application No. ___/_____, filed on ___.
series code ⇧ ⇧ serial no.
c. ☐ Certified copy/copies filed during International stage of PCT/ ___/___.

4(a). (a) ☐ Domestic priority is claimed from PCT/ ___/___, filed ___.
(b) ☐ Benefit is claimed of Provisional Application No. 60/___, filed ___.

5. ☒ Assignee (optional) University of Massachusetts

6. ☒ Attached is the following number of Assignments (including original and all later successive ones by different assignors): 1 and respective **new** Cover Sheets. (Do **NOT** file old cover sheets.)

(Assignments in parent **must be refiled** with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)

Please return the recorded Assignment to the undersigned.

7. ☒ The power of attorney in the prior application is to Robin L. Teskin, Reg. No. 35,030

(Name and Reg. No.)
whose current address is as in item 8 below.

a. ☒ Recognize as associate attorney Bonnie D. Weiss, Reg. No. 43,255

(Name, Reg. No. and Address) whose current address is as in item 8 below.

8. **Address all future communications to Intellectual Property Group of Pillsbury Winthrop LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W., Washington, D.C. 20005-3918**

9. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No. 08/ 699,040 filed August 19, 1996
No. PCT/ ___/_____ filed _____, which designated the U.S. and that International Application ☐ was ☐ was not published under PCT Acticle 21(2) in English

9(a). ☐ See the attached Preliminary Amendment, which amends the first page of the specification to claim benefit of the above listed US application(s)

10. **Small Entity Status →** ☐ is Not claimed ☐ is claimed (**pre-filing confirmation required**)
:
___(No.) Small Entity Statement(s) (not essential since 9/8/00) were/are:
☒ filed in above prior application
☐ attached.

11. Petition to extend the life of the above prior application to at least the date hereof
(one box) ☒ is being concurrently filed in that prior application (Use Form PAT-111).
(must be) ☐ was previously filed in that prior application (Check length of prior extension).
(X'd) ☐ is not necessary for copendency (**Double check** before X'ing this box).

12. ☒ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please consider those documents and advise that they have been considered in this new application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .

13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.

14. Reserved

FILING FEE

THE FOLLOWING FILING FEE IS BASED ON

->->->->CLAIMS AS FILED AND **CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14**<-<-<-<-

NOTE: If box 1A2 is X'd, do not pay fees, but leave lines 15-22 and 27-32 blank.

				Large/Small Entity		Fee Code
15. Basic Filing Fee Design Application				$320/$160		106/26
16. Basic Filing Fee Utility Application				$710/$355	+355	101/201
17. Total Effective Claims	35	minus 35 =	0	x $18/$9	+0	103/203
18. Independent Claims	1	minus 3 =	0	x $80/$40	+0	102/202
19. If any proper multiple dependent claim (ignore improper) is present,				$270/$135	+0	104/204
20.				**Subtotal =**	**$355**	
21. If "petition" box 13 above is X'd, add petition fee.$130					+0	122
21A. If box 6 above is X'd, add Assignment recording fee $ 40					+40	581
22. **TOTAL FILING FEE ATTACHED =**					**$395**	

(carry forward to Item 31)

23. ☐ ATTACHED:

24 ☐ See the attached Preliminary Amendment

25. ☐ See NONPUBLICATION REQUEST under Rule 213(a) attached (Pat-258)

26. **ADDITIONAL FEE CALCULATION FOR PRELIMINARY AMENDMENT PER BOXES 24/25**

		Claims remaining after amendment		Highest number previously paid for		Present Extra			Additional Fee	
						Large/Small Entity				File Code
27.	Total Effective Claims	*35	minus **	35	=	0	x $18/$9	=	$ 0	(103/203)
28.	Independent Claims	*1	minus ***	3	=	0	x $80/$40	=	+ 0	(102/202)
29.	If amendment enters proper multiple dependent claim(s) into this application for the first time, add (per application) $270/$135								+ 0	(104/204)
30.								ADDITIONAL FEE	$ 0	
31.								plus FEE from item 22 on page 3	+ 0	
32.								TOTAL FEE ATTACHED	$ 395	

33. *If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

34. **If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

35. If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space

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Our Deposit Account No. 03-3975
Our Order No. 15837 (C#) | 280633 (M#)

CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Bonnie D. Weiss **Reg. No.** 43,255

Sig: Bonnie D. Weiss **Fax:** (202) 822-0944
Tel: (202) 861-3661

Atty./Sec BDW/mll

NOTE No. 1: File this Request in duplicate with 2 postcard receipts (PAT-103) & attachments
NOTE No. 2: Is extension in parent necessary for copendency? **DOUBLE CHECK** Item 11 above.
If yes, printout Pat-111 and head it in parent.